PATENT
Customer Number 22,852 P
Attorney Docket No. 08350.9194-02000

16834 U.S. PTO 10/807343

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Prior .	Applica	tion Art Unit: 2652	Prior Application Examiner: C. Fo	ЭX
SIR:	Γhis is a	a request for filing a		
§ 1.53 Burne CONT ARTIO	B(b) of բ ett et al. ՐROLL	pending prior Application No. 10/09 for MODULATION OF EJECTOR ABLE EJECTOR SPEED DURING ED TRUCKS AND THE LIKE HAV		
1.		Declaration and drawings, as originated papers are a true copy originally filed on February 5, 200	March 19, 1999, both of which are	as
2.			tion under 37 C.F.R. § 1.125. The no new matter is added in this subs	
3.		Enclosed is a Request for Non-Punder 35 U.S.C. § 122(b)(2)(B)(i)	ublication of Application and Certifi	cation
4.	\boxtimes	A Preliminary Amendment is enc	osed.	
5.	\boxtimes	_	basis of the claims existing in the peliminary Amendment filed herewit	•

Basic Application Filing Fee						\$770	\$	\$770.00	
			Number of Claims		Basic	Extra Claims			-
Total Claims			16	-	20	0	x \$18		0
Independent Claims			2	-	3	0	x \$86		0
☐ Presentation of Multiple Dep. Claim(s) +\$290									
Subtotal						\$	770.00		
Red	Reduction by 1/2 if small entity						-		
TOT	TOTAL APPLICATION FILING FEE						\$	770.00	
6.	\boxtimes	A check in	the amount of	\$7	70.00 to	cover the fi	ling fee is	encl	osed.
7.		The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.							
8.		New acceptable drawings are enclosed.							
9.		The prior application is assigned of record to: Caterpillar S.A.R.L.							
10.		Priority of Application No, filed on in is claimed under 35 U.S.C. § 119. A certified copy							
		□is	s enclosed or] is on fil	e in the pri	or applica	tion.	
11.		Small entity status is appropriate and applies to this application.							
12.		The associate power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No.							

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- 14. Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.

15.		Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, Customer Number 22,852 .
16.		Recognize as associate attorney
17.	\boxtimes	Also enclosed is a copy of Associate Power of Attorney from parent application, U.S. Appl. No. 09/273,187.

<u>PETITION FOR EXTENSION</u>. If any extension of time is necessary for the filing of this application, including any extension in parent Application No. 10/062,410, filed February 5, 2002, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,

GARRETT & DUNNER, L.L.P.

Dated: March 24, 2004

Dustin T. Johnson Reg. No. 47,684